

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

NOEL ZAVALA,

Defendant.

No. 14-00251-01-CR-W-HFS

MOTION TO REVOKE SUPERVISED RELEASE

The United States of America, by its undersigned counsel, hereby moves the Court to revoke defendant Noel Zavala's supervised release, pursuant to Federal Rule of Criminal Procedure 32.1 and 18 U.S.C. § 3583(e)(3), based on the Violation Report, dated January 10, 2018, and the Supplemental Violation Reports, dated March 1, 2018, and March 6, 2018, for violating the following conditions of supervised release:

1. **Violation of Standard Condition**, which reads, "The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer."
2. **Violation of Mandatory Condition**, which reads, in part, "The defendant shall not unlawfully possess a controlled substance."
3. **Violation of Mandatory Condition**, which reads, "The defendant shall refrain from any unlawful use of a controlled substance."
4. **Violation of Standard Condition**, which reads, "The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer."

5. **Violation of Standard Condition**, which reads, in part, “The defendant . . . shall not purchase, possess, use, distribute or administer any controlled substance or any paraphernalia related to any controlled substances, except as proscribed by a physician.”

6. **Violation of Special Condition**, which reads, “The defendant shall successfully participate in any substance abuse counseling program, which may include urinalysis, sweat patch, or Breathalyzer testing, as approved by the Probation Office and pay any associated costs as directed by the Probation Office.”

7. **Violation of Special Condition**, which reads, in part, “The defendant/offender shall be monitored by the form of location monitoring indicated below for a period of up to 60 days . . . and shall abide by all technology requirements . . .”

8. **Violation of Mandatory Condition**, which reads, in part, “The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.”

These alleged violations of supervised release are set forth in the Violation Report and the Supplemental Violation Reports, prepared by United States Probation Officer Kyle Estes.

For the reasons stated above, the United States moves the Court to set this matter for final supervised release revocation hearing in accordance with this motion.

Respectfully submitted,

Timothy A. Garrison
United States Attorney

By */s/ Rudolph R. Rhodes IV*
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on March 9, 2018, to the Electronic Filing System (CM/ECF) of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

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/s/ Rudolph R. Rhodes IV

Rudolph R. Rhodes IV
Assistant United States Attorney